

  
**OBSERVATIONS**

**ON**

**THE SLAVERY**

**OF THE**

**AFRICANS**

**AND**

**THEIR DESCENDANTS,**

**AND**

**ON THE USE OF THE PRODUCE**

**OF THEIR**

**LABOUR.**

  
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# PREFACE.

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WHEREAS, I some time past published certain observations on the Slavery of the Africans and their descendants, and on the consumption of the produce of their labour, comprehended principally in 19 Queries and Answers, the design of which was to impress on the minds of my friends and fellow-citizens, and others concerned, as far as might be, by fair reasoning, a full sense of the abhorrent cruelty and unrighteousness of holding our fellow creatures in bondage, and wresting from them, by violence, the produce of their labour; which being well received by many, and affording reason to hope they were profitable to some, I was induced to believe a second edition might be useful.

I have, therefore, revised the original, and endeavoured to compress it as much as the subjects would admit; and have added some quotations from an anonymous pamphlet, published sometime since in England. which are so correspondent with the before mentioned observations, as to have a tendency, in my opinion, to elucidate and enforce them.

I shall only add, as a farther apology for the present edition, that the evil still continues: that there are still slave holders, and consumers of the produce of the labour of slaves, wrested from them by violence.

And as the slave holder can have no moral right whatever to the man he stiles his slave, nor to the produce of his labour; he cannot possibly convey any to a second person by any transfer he can make: for, having nothing but a criminal possession himself, he can convey nothing to a second person but the same possession: and should this possession be continued through a line of transfer to the twentieth person, still it would be nothing more than the same criminal possession that was vested in the first possessor, and would convey no moral right whatever. And should any other person come forward, and, by the same mode of violence and power that was exercised by the first possessor, in reducing the man he stiles his slave to the abject state of slavery, and by which he violently took from him the produce of his labour, forcibly take from such twentieth or more remote possessor, the slave and the produce of his la-

bour, the right of such person, in point of equity, to such slave and the produce of his labour would be just equal to the right of such remote possessor ; as neither of them could have had any more than a criminal possession : and whether that possession is obtained by violence or by transfer, (if the person who receives it by transfer is informed of the criminal circumstances,) it can make no possible difference, except that one is protected by the indulgence of a partial law of the country we live in, and the other is not. By which undeniable proposition, it appears, that when any man becomes possessed of a slave, or the produce of his labour, wrested from him without his consent, whether it be by transfer or otherwise, any other person who has power so to do, may, by violence, take from such possessor, such slave and the produce of his labour : and when he has in that way obtained possession thereof, he has as good a right to such slave and to use the produce of his labour as the former ; and the former can have no just cause to complain of such usage, as he is only paid in his own coin. For, although the first possessor committed the act of violence, when he took from the man he stiles his slave his liberty, and compelled him to work, and by the same cruel force, took from him the produce of his labour ; yet, every purchaser of such slave and the produce of his labour, if he is apprized of the criminal circumstance attending it, is as guilty as the first perpetrator, and should such slave and the produce of his labour pass through the hands of twenty persons, all knowing at the time of transfer the criminal circumstances attending, each would be guilty of the entire crime of the first perpetrator. This being assented to, and I conceive it is incontrovertible, I have a hope that this edition may produce a good effect, and tend to raise up many more faithful advocates in the cause of this deeply oppressed people, who may be willing to suffer every necessary privation, rather than be guilty of the least thing that may, in any degree, possibly strengthen the hands of their oppressors. I therefore recommend this little treatise to the candid and impartial consideration of the reader, and subscribe myself his sincere friend, E. HICKS.

**OBSERVATIONS**

**ON THE**

**SLAVERY**

**OF THE**

**AFRICANS AND THEIR DESCENDANTS, &c.**

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THE Slavery of the Africans and their descendants, has become so established by long continuance, and the force of an unrighteous custom ; that many persons consider the practice not only admissible, but consistent with justice and social order.

But I am led to doubt the possibility of any rational, moral person being thus circumstanced, unless he is first greatly blinded by selfishness and partiality ; as I consider it a matter of fact, obviously clear to every rational, contemplative mind, that neither custom nor education, nor any law of men or nations, can alter the nature of justice and equity ; which will, and must, essentially and eternally, rest upon their own proper base, as laid down by the great Christian Law-giver, viz. “ Therefore, all things, what-

soever ye would that men should do to you, do ye even so to them : for this is the law and the prophets." Hence, I conceive, it is a most necessary and important christian duty, for all those who are either directly or indirectly concerned in the slavery of their fellow creatures, seriously and impartially to consider the manner and way in which the slavery of the Africans was first introduced ; and by what means it has been so long continued ; not doubting, but that every upright, impartial mind, by a full examination into the subject, will readily discover, that it was first introduced by fraud and force, and continued by an unjust and tyrannical power : and will, therefore, be induced to restore to them their just and native rights, as free men, which no law nor power of men or nations ought to deprive them of without their consent.

It is generally acknowledged, by the people of every enlightened country, and particularly by those who believe in revelation, as testified of in the Scriptures of Truth, that man is a moral agent, (that is, free to act, with the restriction of accountability to his Creator,) agreeable to the declaration of the prophet Ezekiel ; through whom, Jehovah, in his benignity and justice, claims the right of sovereignty over the children of men : " All souls are mine ; as the soul of the father, so also the soul of

the son is mine : the soul that sinneth, it shall die : the son shall not bear the iniquity of the father, neither shall the father bear the iniquity of the son !" This Scripture testimony, perfectly consonant with reason and justice, not only proves, that every man is to bear his own iniquity, but that he also stands fully indemnified thereby, from all the iniquity of his predecessors ; and likewise fully establishes man's free-agency : and, of course, proves, that every moral agent born into the world, (whatever the conduct and situation of his parents may have been) is born FREE : upon which undeniable truth, I shall found the following Queries and Answers :

*Query 1.* Where not the people of Africa, at the time when the Europeans first visited their coasts, a free people, possessed of the same natural and unalienable rights, as the people of any other nation ?

*Answer.* They certainly were : for, when the Europeans, whether by fraud or force, or by purchase from those who had stolen or taken them prisoners in war, became possessed of a number of the people of Africa, and by violence reduced them to the wretched and degraded state of Slaves ; at the same time it would have been as right and as consistent with equity and moral justice, for the Africans to have done the same by

them, had it been in their power : by which undeniable proposition, it is evident, that the slavery of the Africans is the product of mere power, without any possible plea of right : and that the same power of force, fraud, and tyrannical cruelty, that was exercised in reducing the people of Africa at first, to the miserable and wretched state of slaves, has, in like manner, in a continual state of war, been exercised on all the descendants of those unhappy people that are held as slaves, from generation to generation, down to the present day : it being an undeniable truth, that no rational creature can be any longer a slave, than while the force of war is operating upon him : and as before proved from Scripture, and moral justice, that every child of an African, born in America, or elsewhere, is born free : therefore, he suffers the same cruel force of fraud and power while continued under the galling yoke of slavery, as was exercised on his predecessors.

“ The lust of power, and the pride of conquest, have doubtless produced instances far too numerous of man enslaved by man. But we, in an enlightened age, have greatly surpassed, in brutality and injustice, the most ignorant and barbarous ages ; and while we are pretending to the finest feelings of humanity, are exercising unprecedented cruelty. We have planted slavery in the

rank soil of sordid avarice : and the product has been misery in the extreme. We have ascertained, by a course of experiments in cruelty, the least portion of nourishment requisite to enable man to linger a few years in misery ; the greatest quantity of labour, which, in such a situation, the extreme of punishment can extort ; and the utmost degree of pain, labour and hunger united, that the human frame can endure. In vain have such scenes been developed. The wealth derived from the horrid traffic, has created an influence that secures its continuance ; unless the people at large shall refuse to receive the produce of robbery and murder."

Q. 2 Under what name or descriptive mode of property are the slaves to be considered, in relation to the man who holds them as such ?

A. The slaves being taken by violence, either directly or indirectly, contrary to their own wills, and in direct opposition to all the power of self defence, which they are capable of exerting, whether they are taken prisoners of war or stolen, or decoyed on ship-board by the slave merchant, and then forcibly confined and carried off ; it must be acknowledged, they are taken in a state of war, and considered by the captor as a prize : therefore, the only true title and description of property they can possibly bear, is prize goods.



**Q. 3.** Is not the produce of the slave's labour likewise prize goods?

**A.** It certainly is: for the man, who, by mere power and violence, without any just plea of right, not only holds them as slaves, but takes from them, in the same cruel and arbitrary manner, the proceeds of their labour, without their consent, thereby places himself in a state of continual and actual war with his slaves. And, moreover, as the stealing or taking a man by violence, and depriving him of his liberty, and reducing him to the wretched and helpless state of a slave, is the highest grade of felony, and is done purposely to profit by the slave's labour; therefore, the produce of the slave's labour is the highest grade of prize goods, next to his person.

**Q. 4.** Does the highway robber, that meets his fellow-citizen on the highway, and robs him of all the property he has in his present possession, and then leaves him at liberty, without injuring his person, commit as high an act of felony, as he that steals or buys, or takes a man by violence, and reduces him to the wretched and degraded state of a slave for life?

**A.** No! in no wise. Which answer is founded on the self evident proposition, that it is more criminal to rob a man of his liberty and property, than only to rob him of his property.

**Q. 5.** Does it lessen the criminality and wickedness of reducing our fellow creatures to the abject state of slavery, and continuing them therein, because the practice is tolerated by the laws of the country we live in ?

**A.** No ! by no means. Because, every rational creature knows, or ought to know, that no laws of men or nations, can alter the nature of immutable justice. The criminality remains as great in all cases of slavery, when inflicted without any criminality of the individual made a slave, under the sanction of law, as when it is not ; and in some cases, greater : as in the instance of those governments ; where they are not only guilty of the cruelty and oppression of reducing, by mere power, without any possible plea of right, their fellow-creatures who have equally a right with themselves to liberty, and the purchase of redemption by a Saviour's blood, to the abject and wretched state of slaves, but are adding sin to sin, by making and continuing cruel laws to hold them still longer under the galling yoke.

**Q. 6.** Would it be right and consistent with justice and equity, for the legislatures of the several states, and others concerned, to make laws entirely to abolish slavery in their respective states ?

**A.** It would, doubtless, be entirely right, and perfectly consistent with equity and justice to make such laws ; and nothing, I ap-

prehend, can exculpate them from the charge of blood-guiltiness short of so doing : as, no doubt, many of the poor victims of slavery suffer daily to the shedding of their blood, under the hands of some of the cruel men who pretend to be their masters, because, they do not at all times, immediately submit to their cruel and arbitrary wills.

**Q. 7.** Would it not give just occasion for those who still have slaves in their possession, and especially to such as have lately purchased them at a dear rate, to complain of wrong in thus taking from them, without their consent, what they esteem as their real property ?

**A.** The making and enforcing such laws cannot possibly give just occasion for any such complaint ; as it is impossible for any man to gain any just property in a rational being, as a slave, without his consent ; for, neither the slave dealer, nor the planter can have any moral right to the person of him they stile their slave, to his labour, or to the produce of it ; so, they can convey no right in such person, nor in the produce of his labour to another ; and whatever number of hands they may pass through, (if the criminal circumstances appertaining thereto be known to them at the time of the transfer,) they can only have a criminal possession ; and the money paid either for the slave or for the produce of his labour, is paid to

obtain that criminal possession, and can confer no moral right whatever ; and if the death of the person called a slave, be occasioned by the criminal possession, the criminal possessor is guilty of murder ; and we who have knowingly done any act which might occasion his being in that situation, are accessaries to the murder, before the fact ; as by receiving the produce of his labour, we are accessaries to the robbery after the fact. Therefore, I conceive, it must appear clear and agreeable to truth and justice, that a man who should dare to be so hardy as to buy a fellow creature, whose liberty is withheld from him by violence and injustice, ought not only to be obliged to set him free, and to forfeit the purchase money, but likewise to make full satisfaction to the person he had injured, by such purchase.

Q. 8. As the Legislature of the State of New-York has passed a law, declaring that every child, born in this state of a woman held as a slave, shall be free, the males at twenty eight years of age, and the females at twenty-five ; can such a law be considered as doing full justice to that injured people ?

A. Although such might have been the unjust bias, that too generally prevailed on the minds of the inhabitants of this State, at the time of making the law alluded to in the query, that it was the best step the Legislature could then take ; nevertheless, in my

opinion, it fell very far short of doing them that full justice to which they are entitled; for, as all children born of white women in this state, are free at the age of twenty-one and eighteen years, according to their sex, and as the Africans and their descendants are not here in their own wills, nor agreeable to their own choice, but wholly in consequence of the will and pleasure of the white citizens of this State; therefore, it is impossible, in point of justice, that any disadvantage or penalty should attach to them, as a consequence of their being here: but as free born men and women, they have a right to demand their freedom at the same age as other citizens; and to deny them of it, is depriving them of their just right.

**Q. 9.** What measures can be adopted by the Legislature and citizens of New-York, and others concerned, in order to exculpate themselves from the guilt of that atrocious crime of holding the Africans and their descendants so long in slavery?

**A.** The least that can be done, in order to effect the salutary end contemplated by the query, would be to declare freedom to every slave in the state, and to make provision by law for the education of all minors that are in a state of slavery; compelling their masters, or those who have the charge of them, to instruct them so as to keep their own accounts, and that they be set at liberty, the

males at twenty-one and females at eighteen years of age : and further, that some lawful and reasonable step be taken, to compensate such slaves as have been held in bondage beyond that age, for such surplus service.

**Q. 10.** By what class of the people is the slavery of the Africans and their descendants supported and encouraged ?

**A.** Principally by the purchasers and consumers of the produce of the slaves' labour ; as the profits arising from the produce of their labour, is the only stimulus or inducement for making slaves.

“ The laws of our country may indeed prohibit us the sweets of the sugar cane,” and other articles of the West-Indies and southern states, that are the produce of the slave's labour, “ unless we will receive it through the medium of slavery ; they may hold it to our lips, steeped in the blood of our fellow creatures, but they cannot compel us to accept the loathsome potion. With us it rests, either to receive it and be partners in the crime, or to exonerate ourselves from guilt, by spurning from us the temptation. For let us not think, that the crime rests alone with those who conduct the traffic, or the Legislature by which it is protected. If we purchase the commodity, we participate in the crime. The slave dealer, the slave holder, and the slave driver, are virtually the agents of the consumer, and may be consid-

ered as employed and hired by him, to procure the commodity. For, by holding out the temptation, he is the original cause, the first mover in the horrid process; and every distinction is done away by the moral maxim, *That whatever we do by another, we do ourselves.*

“Nor are we by any means warranted to consider our individual share in producing these evils in a trivial point of view: the consumption of Sugar” and other articles of slavery “in this country is so immense, that the quantity commonly used by individuals will have an important effect.”

Q. 11. What effect would it have on the slave holders and their slaves, should the people of the United States of America and the inhabitants of Great Britain, refuse to purchase or make use of any goods that are the produce of slavery?

A. It would doubtless have a particular effect on the slave holders, by circumscribing their avarice, and preventing their heaping up riches, and living in a state of luxury and excess on the gain of oppression: and it might have the salutary effect of convincing them of the unrighteousness and cruelty of holding their fellow creatures in bondage; and it would have a blessed and excellent effect on the poor afflicted slaves; as it would immediately ameliorate their wretched condition and abate their cruel

bondage ; for I have been informed, and reason naturally dictates to every one who has made right observations on men and things, that the higher the price of such produce is, the harder they are driven at their work.

And should the people of the United States, and the inhabitants of Great Britain, withdraw from a commerce in, and the use of the produce of slavery, it would greatly lessen the price of those articles, and be a very great and immediate relief to the poor, injured, and oppressed slaves, whose blood is continually crying from the ground for justice, as their lives are greatly shortened, and many of them do not live out half their days by reason of their cruel bondage.

“ If we as individuals concerned in purchasing and consuming the produce of slavery, should imagine that our share in the transaction is so minute, that it cannot perceptibly increase the injury ; let us recollect, that, though numbers partaking of a crime may diminish the shame, they cannot diminish its turpitude ; can we suppose, that any injury of an enormous magnitude can take place, and the criminality be destroyed, merely by the criminals becoming so numerous as to render their particular shares indistinguishable ? Where an hundred assassins to plunge their daggers into their victim, though each might plead, that without



his assistance the crime would have been completed, and that his poniard neither occasioned nor accelerated the murder ; yet, every one of them would be guilty of the entire crime. For, into how many parts soever a criminal action may be divided, the crime itself rests entire and complete on every perpetrator.

“ But, waving this latter consideration, and even supposing for a moment, that the evil has an existence from causes totally independent of us, yet it exists ; and as we have it in our power jointly with others to remedy it, it is undoubtedly our duty to contribute our share, in hope that others will theirs ; and to act that part from conscience, which we should from inclination in similar cases that interested our feelings :” for instance, let us suppose that the way for obtaining slaves from Africa was entirely intercepted, and no other place opened for obtaining any, except in the rivers Delaware and Hudson, in North America ; that the slave traders were continually infesting the shores of those rivers, as the only places to be insulted with impunity ; that they frequently kidnapped, and sometimes by force carried off numbers of the inhabitants to the West-Indies, and sold them as slaves, among whom were many of our fathers and brothers, with their wives and children. We now view them all handcuffed, two and two together, crowded down

between the ship's decks, and so closely stowed, as to be almost suffocated ; in consequence of which, a number sicken and die, which to them is a very happy release, when compared with the still more cruel sufferings that await the survivors. We next behold them in port, and the day of sale arrives, when they are taken from on ship-board, and driven like a herd of swine to market, but worse treated, being manacled together. They are here herded in a pen or yard, like the beasts of the field, exposed to public sale, and without regard to sex or age examined by those brutal men, who are to be their purchasers, as naked as they were born : and, when one is struck off to any bidder, a red hot iron is ready to brand the poor victim with the name of his tyrant purchaser. This leads to a scene still more grievous, still more deeply afflicting. All nature is forced to yield, when the husband is separated from a beloved wife, and a wife from a beloved husband, who had been for many years the joy of her life, and who she had expected would have been the strength and comfort of her declining years ; but now, alas ! they are torn asunder, like bone from bone : a heart rending separation takes place, without the small indulgence of taking a sympathetic farewell of each other, or the possibility of indulging the most distant hope of seeing each other again. We be-

hold the fond children, with ghastly look and frightened eyes, cling to their beloved parents, not to be separated from them, but by the lash of their cruel drivers, who make the blood to start at every stroke on their mangled bodies. We next, with heavy hearts and minds overwhelmed with pity, follow them to their destined labour in the plantation field, and by the morning dawn, we hear them summoned to their daily task, by the clashing of cow-skin scourges in the hands of their hard hearted overseers. And should any of them, in consequence of fatigue and loss of strength, fall a little behind their fellow sufferers, they are immediately reminded of it by the lash of their cruel drivers. But here I must stop, as it is too much for nature to pursue farther the dreadfully degrading and cruel theme ! And is it not enough to awaken and arouse to sympathy the hardest heart, and lead it to exclaim aloud with abhorrence against such brutal and unrighteous doings ? Is it possible that there should be in the United States a man, or would he be worthy to bear the dignified name of man, where he so void of the feelings of humanity, as to purchase and make use of the labour of his fellow-citizens, his kindred and his friends, produced in the horrid manner above stated ? Would not every sympathetic heart, at the sight of a piece of sugar, or other article, that he believed to be the fruit of

their labour, produced with agonizing hearts and trembling limbs, be filled with anguish and his eyes gush with tears? Would it not awaken in the feeling, unbiassed mind, a sense of all the cruel sufferings above related? Would it not, instead of pleasing his palate, be deeply wounding to the heart? and, if rightly considered, cause cries to arise from the bottom of his soul, in moving accents of supplication to the righteous Judge of heaven and earth, that he would be graciously pleased to put a stop to such complicated misery and great distress of his creature man? Would he not consider the individual who should dare to be so hardy as to traffic in, and use the produce of the labour of his fellow-citizens and friends, wrested from them in the cruel manner above stated, as the open and avowed enemy both of God and man?

But some, who have not given the subject a full and impartial discussion, may object and say, the slaves in the West-Indies and southern states, are not our fellow-citizens and friends. But it cannot be objected by the impartial and the just, who know, that although in a limited sense, as applied to a particular town or city, they may not be so, yet upon the general and universal scale of nature, they are our brethren and fellow creatures; all privileged by nature and nature's God, with liberty and free-agency, and with

the blessings attendant thereon ; of which they are not to be deprived, but by their own consent ; and, therefore, have a right to demand of us the same justice and equity, as our fellow-citizens and friends, in a more limited sense, as above stated, could have done ; and to whom we are accountable for every act of injustice and omission of doing to them as we would they should do unto us, and for which we shall all have to answer ere long, at the dread tribunal bar, that we can neither awe nor bribe, but shall receive a just retribution for all our works, whether good or evil.

From a consideration of the foregoing Queries and Answers with the annexed observations, may we not be led to conclude, that no man who is convinced of the cruelty and injustice of holding a fellow creature in slavery, can traffic in, or make use of the produce of a slave's labour, believing it to be such, without criminating himself, and living in the open and daily breach of that most excellent Rule, given by the great Author of the Gospel Dispensation, as a just criterion of conduct : viz. " All things whatsoever ye would that men should do to you, do you even so to them, for this is the law and the prophets."

" The case now fully lies before us, and we have to make our choice, either to join ourselves with these Manufacturers of Human

Wo, or to renounce the horrid association. If we adopt the former, let us at least have the candour to avow our conduct in its real deformity. Let us no longer affect to deplore the calamities attendant on slavery, of which we are the primary cause; nor let us pretend to execrate the conduct of the slave dealer, the slave holder, or the slave driver."

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